

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

VINSON EDWARD WHATLEY,

Plaintiff,

v.

Sergeant BRENDEN BROWN, *et. al.*,

Defendant.

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CIVIL ACTION NO. 5:14-CV-295 (MTT)

ORDER

Before the Court is the Recommendation of Magistrate Judge Charles H. Weigle to allow the claims against Sergeant Brendan Brown to go forward, but dismiss all other claims and parties. (Doc. 6). Specifically, the Magistrate Judge concluded that the Plaintiff alleged sufficient facts to state an Eighth Amendment claim against Sergeant Brown. However, the Plaintiff failed to state sufficient facts for a constitutional claim against Deputy Warden Mizell Davis and Warden Belinda Davis and made only conclusory allegations regarding the failure to provide medical care claim. The Plaintiff did not object to the Recommendation.

The Court has reviewed the Recommendation, and the Court accepts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the Order of this Court. Accordingly, the claims against Deputy Warden Mizell Davis and Warden Belinda Davis are **DISMISSED**. The Plaintiff's claim against Sergeant Brown will go forward.

SO ORDERED, this 19th day of September, 2014.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT